

Leland T. Taylor

Name

Leland T. Taylor

701 Madison St. NE

Address

First Amended Complaint

FILED
 UNITED STATES DISTRICT COURT
 DISTRICT OF NEW MEXICO

20 MAR 24 PM 2:28

CLERK-ALBUQUERQUE

**UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEW MEXICO**

Leland T. Taylor

_____, Plaintiff
 (Full Name)

V.

Michelle Lujan Grisham,
 individually,
 And any persons acting in
 concert of enforcement of the
 Order et.al.,

, Defendant(s)

CASE NO. 20CV267JHR
 (To be supplied by the Clerk)

CIVIL RIGHTS COMPLAINT
 PURSUANT TO 42 U.S.C. §1983

A. JURISDICTION

1) Leland T. Taylor _____ New Mexico
 _____, is a citizen of _____
 (Plaintiff) (State)
 who presently resides at 701 Madison St. NE

 (Mailing address or place of confinement)

2) Defendant Michelle Lujan Grisham et al is a citizen of

 (Name of first defendant)
New Mexico, and is employed as

 (City, State)
Governor. At the time the claim(s)

 (Position and title, if any)
 alleged in this complaint arose, was this defendant acting under color of state law?
 Yes ☒ No ☐ If your answer is "Yes", briefly explain:
 She has ordered the closures of churches, restaurants, bars, social gathering locations and
 "non-essential" businesses which has deprived me of my right to worship as I see fit,
 assembly, and other rights guaranteed under the US Constitution.

- 3) Defendant _____ is a citizen of
(Name of second defendant)
_____, and is employed as
(City, State)
_____. At the time the claim(s)
(Position and title, if any)
alleged in this complaint arose, was this defendant acting under color of state.
Yes ☐ No ☐ If your answer is "Yes", briefly explain:

(Use the back of this page to furnish the above information for additional defendants.)

- 4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3), 42U.S.C. §1983. (If you wish to assert Jurisdiction under different or additional statutes, you may list them below.)

B. NATURE OF THE CASE

- 1) Briefly state the background of your case.

Defendants have taken actions that adversely affects me and the citizens of New Mexico under color of law that violates the US Constitution. The actions are causing permanent and irreprabe harm. This is stated in the attached Order issued by the State of New Mexico. Said Order has not been issued as an act of Martial Lwa, but it trying to act as such.

C. CAUSE OF ACTION

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary, you may attach up to two additional pages (8 1/2" x 11") to explain any allegation or to list additional supporting facts.

A)(1) Count I:

Defendants have taken action that has prevented my and the citizens of New Mexico the exercise of First Amendment rights of free assembly, worship, and free expression of speech. These may be abrogated under a declaration of martial law, but has not been so ordered.

- (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

Defendants have issued an executive order, exhibit 1, and has denied me and other citizens of New Mexico the right to free assembly and worship, extended the prior order with this as an extension of the prior order of the same nature, merely making it more restrictive. I am a religious person and attend church to worship and also gain psychological benefit from social involvement that has been severely restricted. This has caused permanent and irreparable harm.

B)(1) Count II:

Defendants have removed the protection of due process from taking of property rights as guaranteed under the 4th Amendment. This has caused damage to me and citizens of New Mexico which is irreparable and permanent and is not done en masse except in the imposition of martial law which has not been done.

- (2) Supporting Facts:

See Defendant's order. All eat in restaurants shall be closed. This takes the right to conduct business and have property from citizens of New Mexico without due process.

C)(1) Count III:

Defendant's Order has removed the protection of due process afforded in normal criminal proceedings as provided in the 14th Amendment. The imposition of any detention, incarceration, other other violation of rights without due process may only be done under the imposition of martial law which has not been ordered.

(2) Supporting Facts:

Defendant's order is prima facie evidence of such failure to provide due process and causes irreparable and permanent harm including leaving myself or any person with a criminal record without due process. It is not stated what in specific the penalties may be and that is unconstitutionally vague or ambiguous..

D) PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment?

Yes ☐ No ☒ If your answer is "YES", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

- a) Parties to previous lawsuit.

Plaintiffs: _____

Defendants: _____

- b) Name of court and docket number:

- c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

- d) Issues raised: _____


- e) Approximate date of filing lawsuit: _____
- f) Approximate date of disposition: _____

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C. Yes ☐ No ☒ If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No," briefly explain why administrative relief was not sought.

E. REQUEST FOR RELIEF

- 1) I believe that I am entitled to the following relief:
1. Emergency Injunctive Relief. To declare the Order(s) null and void and prevent the state from imposing them.
 2. Compensation or other Relief as deemed proper by this court..

Signature of Attorney (if any)



Signature of Petitioner

Attorney's full address and telephone number.

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. Sec. 1746. 18 U.S.C. Sec. 1621.

Executed at Albuquerque New Mexico on March 24 2020
(Location) (Date)



(Signature)

SANTA FE, NM (KFOX14) — New Mexico Gov. Michelle Lujan Grisham announced during a press conference Monday that she has ordered New Mexico Secretary of Health Kathy Kunkel to issue a new public health order suspending operations at non-essential businesses and non-profits in an effort to prevent further spread of COVID-19.

The order is effective beginning at 8 a.m. Tuesday and will remain in place through April 10.

Lujan Grisham said the order also limits public gatherings to no more than five people and New Mexicans are urged to stay home unless the outing is important for their health, safety or welfare.

“Does this order mean you cannot walk your dog? No. Does it mean you can’t go for a jog? No. But you should not do those things in a group – and you should be home as soon as possible,” the governor said. “This social isolation strategy will only work if we all undertake it to the greatest extent we can. That boils down to one thing: Stay home.”

During the press conference, 18 new positive cases of COVID-19 were announced in the state of New Mexico. New Mexico now has 83 cases of COVID-19 across 11 counties.

Six of the new cases announced Monday are in Dona Ana County. As of Monday, March 23, there are 10 cases of the coronavirus within Dona Ana County.

The new cases include:

- A woman in her 30s
- Three women in their 20s
- A man in his 50s
- A woman in her 50s

“The only way for us to stop the spread of this virus is for New Mexicans to stop interacting with each other,” said Gov. Lujan Grisham. “New Mexicans must be crystal-clear on this point: Right now, every time you leave your house, you are putting yourself, your family and your community at risk. Only by distancing from one another, by remaining home except for essential or emergency travel, can we limit the spread of this virus to the point that it does not overwhelm New Mexico.

“This clearly exempts people who are part of the essential functions that must continue: The individuals providing meals for kids at our schools; the individuals working at health care facilities, child care facilities, public safety entities and many more. Those individuals are helping keep us operating – in a new and limited way. They deserve our profound gratitude.

“As we wait for the federal government to get states the help we need in expanding capacity and testing materials and financial assistance, staying home is the one action all of us, individually and as a group, can control,” the governor added. “Please stay home. Help protect New Mexico.”

The governor said all dine-in services are prohibited in the state of New Mexico until further notice, but restaurants can still provide delivery and to-go services.

Lujan Grisham said no basic retail is allowed in the state until further notice.